



State of Utah

GARY R. HERBERT
Governor

GREG BELL
Lieutenant Governor

Department of
Environmental Quality

Amanda Smith
Executive Director

DIVISION OF AIR QUALITY
Bryce C. Bird
Director

DAQ-032-13

MEMORANDUM

TO: Air Quality Board

THROUGH: Bryce C. Bird, Executive Secretary

FROM: Colleen Delaney, Environmental Scientist

DATE: April 18, 2013

SUBJECT: PROPOSE FOR PUBLIC COMMENT: New Rule R307-210-2. Oil and Gas Sector: New Source Performance Standards; New Rule R307-214-3. Oil and Gas Sector: National Emission Standards for Hazardous Pollutants.

On August 12, 2012, the Environmental Protection Agency (EPA) promulgated New Source Performance Standards (NSPS) and corresponding revisions to the National Emission Standards for Hazardous Air Pollutants (NESHAP) for the oil and gas sector. These rules are currently enforceable by EPA. Changes to NSPS and NESHAP standards are typically adopted into Utah's rules after the official version of the Code of Federal Regulations (CFR) is published for all regulations in effect as of July 1st of each year. Because the oil and gas sector is a significant source of emissions in Utah, we recommend incorporating the new federal regulations on an earlier schedule.

The EPA has recently proposed changes to the oil and gas sector regulations that affect compliance dates for some of the requirements. When these changes have been finalized, the revised requirements will be brought to the Board for incorporation into Utah's rules.

Staff Recommendation: Staff recommends the Board propose new rules R307-210-2 and R307-214-3 for public comment.

1 R307. Environmental Quality, Air Quality.

2 R307-210. Stationary Source.

3 R307-210-2. Oil and Gas Sector: New Source Performance
4 Standards.

5 The "Oil and Gas Sector: New Source Performance Standards"
6 in 40 CFR 60.17, 40 CFR Part 60 Subpart KKK, 40 CFR Part 60
7 Subpart LLL, and 40 CFR Part 60 Subpart OOOO promulgated by the
8 Environmental Protection Agency on August 16, 2012 in 77 FR
9 49490 are hereby incorporated by reference.

10

11 KEY: air pollution, stationary sources, new source review

12 Date of Enactment or Last Substantive Amendment: ~~[March 7,~~
13 ~~2012]~~2013

14 Notice of Continuation: April 6, 2011

15 Authorizing, and Implemented or Interpreted Law: 19-2-104(3)(q);
16 19-2-108

1 R307. Environmental Quality, Air Quality.

2 R307-214. National Emission Standards for Hazardous Air
3 Pollutants.

4 R307-214-3. Oil and Gas Sector: National Emission Standards
5 for Hazardous Air Pollutants.

6 Revisions to the "Oil and Gas Sector: National Emission
7 Standards for Hazardous Air Pollutants" in 40 CFR 63.14, 40 CFR
8 Part 63 Subpart HH, and 40 CFR Part 63 Subpart HHH promulgated
9 by the Environmental Protection Agency on August 16, 2012 in 77
10 FR 49490 are hereby incorporated by reference.

11
12 KEY: air pollution, hazardous air pollutant, MACT

13 Date of Enactment or Last Substantive Amendment: [June 7,
14 2012] 2013

15 Notice of Continuation: November 8, 2012

16 Authorizing, and Implemented or Interpreted Law: 19-2-104(1)(a)